

REMARKS

By the Patent Office Action of May 15, 2003, the Examiner has required election between method claims 1-4 and apparatus claims 5 and 6. Applicant confirms election of claims 1-4, and their subject matter, for prosecution at this time, reserving the right to file a divisional application covering the apparatus.

Regarding the Examiner's concern about the Abstract Applicant notes that as filed, it covers the subject matter of the elected claims 1-4. It is submitted that the Abstract is satisfactory in its present form.

Regarding Applicant's claims 1-4, and the form rejections asserted against them, Applicant has amended the claims to eliminate indefiniteness. It is noted that the "inside edge" of the ball is defined in the specification at page 4, line 6. the Examiner's comments concerning claim 3 are noted. However, claim 3 is a method claim, not controlled by apparatus. The club head 17 may be pivoted at its hosel, or shaft, connection as is common, or about pivot 19 of the tool apparatus. The claimed method broadly encompasses either mode. It is submitted that claims 1-4 as now presented are no longer objectionable as indefinite and are allowable as to form.

Regarding rejection of the claims as unpatentable over Applicant Sones prior article, and Dick Sporting Goods, Applicant submits that the rejection is improper, and should be withdrawn. Sones describes a proper putting stance and posture. Golf magazines have for decades shown desirable putting postures, etc. However, none of them, including Sones discuss the proper putter length selection as here claimed. The standard putter length sold by manufacturers is 35". That length is too long for most players, including professional golfers. Most players adapt their putter stance to the club they have purchased, rather than assume a proper stance and adjust the putter length to that stance as claimed here. The Sones article

does not disclose or suggest determining the correct putter length. It is submitted that the Examiner is improperly using Applicant's present teaching to enlarge the prior Sones article.


The Dick reference does not measure the club length as described, and now more clearly claimed, here. He measures length with the arms simply hanging down, not in the club grasping condition in Applicant's designated putting position which is manifestly different and not suggested in Dick.

Similarly, with respect to claim 4, Applicant notes that Forzano '264 provides for changing swing weight to suit a players stroke, but he does not in any way propose changing the swing weight in response to changing, i.e. selecting, the club length as claimed.

It is submitted that, as amended, Applicants claims 1-4 are proper in form and substance and are patentable as novel and unobvious over the prior art. Similarly, the drawings are believed in compliance with the rules. Allowance of this application is in order and is earnestly solicited.

Respectfully submitted,

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